

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

VERONICA COOK, ET AL.

PLAINTIFFS

v.

No. 2:11cv41-KS-MTP

HOWARD INDUSTRIES, INC.

DEFENDANT

consolidated with

VERONICA COOK, ET AL.

PLAINTIFFS

v.

No. 2:11cv199-KS-MTP

HOWARD INDUSTRIES, INC.

DEFENDANT

ORDER CONSOLIDATING CASES

THESE MATTERS are before the court on the parties' Joint Ore Tenus Motion to Consolidate Cases. Having considered the motion and the applicable law, the court finds that the motion should be granted.

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the court may consolidate actions involving common questions of law or fact, especially when doing so will avoid unnecessary costs or delay or will eliminate unnecessary repetition or confusion. *Miller v. U.S. Postal Serv.*, 729 F.2d 1033, 1036 (5th Cir. 1984); *Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761-62 (5th Cir. 1989). "Consolidation does not so completely merge the two cases as to deprive a party of any substantial rights that he may have had if the actions had proceeded separately, for the two suits retain their separate identities and each requires the entry of a separate judgment." *Miller*, 729 F.2d at 1036.

These matters involve the same parties and involve common questions of law and fact. The parties agree that these matters should be consolidated, and the court finds that consolidation

of these cases will serve to reduce the costs and expenses of all parties. Accordingly, the motion should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED:

1. That the Joint Ore Tenus Motion to Consolidate Cases is GRANTED.
2. These matters are hereby consolidated for all purposes, including trial. All future pleadings and filings shall be filed only in Cause No. 2:11cv41-KS-MTP. Any case management order entered or to be entered in Cause No. 2:11cv41-KS-MTP shall apply to both cases.

SO ORDERED this 1st day of November, 2011.

s/ Michael T. Parker

United States Magistrate Judge